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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**OAKLAND DIVISION**

In re RIPPLE LABS, INC. LITIGATION

Case No. 4:18-cv-06753-PJH

CLASS ACTION

This Document Relates To:

**JOINT STIPULATION AND  
[PROPOSED] ORDER MODIFYING  
CASE SCHEDULE**

All Actions

1           Lead Plaintiff Bradley Sostack and Defendants Ripple Labs Inc., XRP II, LLC, and Bradley  
2   Garlinghouse (collectively the “Parties”), by and through undersigned counsel, hereby stipulate to  
3   the following:

4           1.       On March 27, 2023, the Court issued an order modifying the case schedule. Dkt.  
5   217. Pursuant to this order, the non-expert fact discovery cut-off was April 10, 2023, with any  
6   motion to compel due by April 17, 2023. *Id.* The order further set May 8, 2023 as the deadline for  
7   Lead Plaintiff’s expert disclosures, June 9, 2023 as the deadline for Defendants’ expert disclosures,  
8   July 10, 2023 as the deadline for Lead Plaintiff’s rebuttal disclosures, and August 7, 2023 as the  
9   close of expert discovery. *Id.*

10          2.       The Parties have been diligently and cooperatively engaged in completing fact  
11   discovery, including extensive meet-and-confer efforts to minimize and resolve discovery disputes.  
12   The Parties have also worked diligently and cooperatively with third-party subpoena recipients to  
13   receive access to documents and data from these third parties without the need for court  
14   intervention.

15          3.       Despite the Parties’ efforts, there remain several outstanding fact discovery issues.

16          4.       First, on April 17, 2023, the Parties filed motions to compel. Dkts. 238–40. After  
17   a hearing with Magistrate Judge Illman, Dkts. 241, 244, the Parties continued to meet and confer  
18   and have been able to further narrow their disputes, and have agreed to an exchange of supplemental  
19   discovery responses. The Parties have a hearing with Judge Illman on May 2, 2023 to address the  
20   few remaining discovery disputes. Dkt. 249.

21          5.       Second, while the Parties have been able to reach agreements with third parties on  
22   the outstanding subpoena requests, the third-party digital asset exchanges are still completing  
23   transactional data productions. A large data production from one third-party digital asset  
24   exchange—containing approximately 2.5 million transactional records—was received on April 21,  
25   2023. The Parties further expect another large production from a different third-party digital asset  
26   exchange to be produced by May 1, 2023.

6. The Parties have met and conferred and agree that additional time is warranted to incorporate information obtained from these efforts into the upcoming expert reports. This additional time will reduce the burden on the Parties, minimize the need for supplementation of discovery responses and expert reports, and potentially reduce the burden on the Court by narrowing or averting future disputes about discovery responses and expert reports.

7. The Parties have therefore agreed to extensions of the expert deadlines, which will give all Parties sufficient time to produce expert reports. Due to the proximity of the summary judgment deadlines to the expert discovery deadlines, and the Court's practice of hearing dispositive motions at least 120 days before trial (*see* Dkt. 158), the proposed extensions also apply to the summary judgment deadlines and trial setting.

8. The Parties stipulate and agree and request that, for good cause shown on the basis of the facts set forth above, the Court modify the pretrial schedule as follows:

<u><b>Deadline</b></u>	<u><b>Current Schedule</b></u>	<u><b>New Agreed Date</b></u>
Plaintiff's Expert Disclosures	5/8/23	6/7/23
Defendants' Expert Disclosures	6/9/23	7/18/23
Plaintiff's Rebuttal Disclosures	7/10/23	8/16/23
Close of Expert Discovery	8/7/23	9/13/23
Dispositive Motions Due	9/11/23	10/18/23
Dispositive Opps	10/10/23	11/16/23
Dispositive Replies	11/7/23	12/14/23
Dispositive Motion Hearing Date	12/13/23	1/22/24
Pretrial Conference	3/18/24	5/2/24
Trial Date	4/15/24	6/3/24

9. The Court has modified the schedule on four prior occasions. First, the Court granted-in-part the Parties' stipulation regarding a modified case schedule in February 2022. Dkts. 157–58. Second, the Court granted the Parties' stipulation to extend the deadlines for the class certification opposition and reply by one week in December 2022. Dkt. 185. Third, the Court granted Lead Plaintiffs' request for limited post-certification discovery. Dkt. 216. Fourth, the Court granted-in-part the Parties' stipulation regarding a modified case schedule on March 27, 2023. Dkt. 217.

Dated: April 28, 2023

By: /s/ Nicholas N. Spear

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*Attorneys for Defendants Ripple Labs Inc.,  
XRP II, LLC, and Bradley Garlinghouse*

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: April 28, 2023

/s/ Nicholas N. Spear

Nicholas N. Spear

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2023

\_\_\_\_\_  
HON. PHYLLIS J. HAMILTON  
United States District Judge